# UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

#### **ATTORNEY FEE APPLICATION COVER SHEET**

IN RE: APPLICANT:

Jazz Photo Corp. Cole, Schotz, Meisel,

Forman & Leonard, P.A.

CASE NO.: 03-26565 (MS) CLIENT: Jazz Photo Corp.

CHAPTER: 11 CASE FILED: May 20, 2003

COMPLETION OF THIS FORM CONSTITUTES A CERTIFICATION UNDER PENALTY OF PERJURY. RETENTION ORDER ATTACHED.

/s/ Michael D. Sirota 10/16/03 MICHAEL D. SIROTA Date

### SECTION I FEE SUMMARY

First Monthly Fee Statement Covering the Period September 1, 2003 through September 30, 2003.

Total Previous Fees and Expenses Requested:

Total Fees and Expenses Allowed to Date:

N/A

Total Retainer (if applicable):

Total Holdback (if applicable):

N/A

Total Received by Applicant:

N/A

|    | Name of Professional | Year     |       |          |            |
|----|----------------------|----------|-------|----------|------------|
|    | and Title            | Admitted | Hours | Rate     | Fee        |
| 1. | Michael D. Sirota,   | 1986     | 18.50 | \$450.00 | \$8,325.00 |
|    | Partner              |          |       |          |            |
| 2. | Stuart Komrower,     | 1984     | 99.50 | 395.00   | 39,302.50  |
|    | Partner              |          |       |          |            |
| 3. | David M. Kohane,     | 1985     | 1.30  | 325.00   | 422.50     |
|    | Partner              |          |       |          |            |
| 4. | Marc P. Press,       | 1983     | .60   | 350.00   | 210.00     |
|    | Partner              |          |       |          |            |
| 5. | Warren A. Usatine,   | 1995     | 15.10 | 330.00   | 4,983.00   |
|    | Partner              |          |       |          |            |

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|    | Name of Professional | Year     |        |        |             |
|----|----------------------|----------|--------|--------|-------------|
|    | and Title            | Admitted | Hours  | Rate   | Fee         |
| 6. | Franck D. Chantayan, | 2000     | 82.10  | 200.00 | 16,420.00   |
|    | Associate            |          |        |        |             |
| 7. | Virginia M. Lane,    | N/A      | .20    | 135.00 | 27.00       |
|    | Paralegal            |          |        |        |             |
| 8. | Frances Pisano,      | N/A      | 29.60  | 135.00 | 3,996.00    |
|    | Paralegal            |          |        |        |             |
|    | TOTALS               |          | 246.90 |        | \$73,686.00 |

FEE TOTALS (Page 3) DISBURSEMENTS TOTALS (Page 4) TOTAL FEE APPLICATION

\$73,686.00 \$4,464.13 \$78,150.13

## SECTION II SUMMARY OF SERVICES

| Services Rendered                          | Hours  | Fee         |
|--|--------|-------------|
| (a) Telephone Calls                        | 40.00  | 11,659.50   |
| (b) Correspondence Drafted                 | 18.10  | 4,644.00    |
| (c) Correspondence Reviewed                | 27.00  | 7,659.00    |
| (d) Legal Research                         | 2.60   | 715.00      |
| (e) Court Appearance                       | 6.00   | 2,535.00    |
| (f) Preparation of Pleadings and Briefs    | 25.10  | 6,331.00    |
| (g) Internal Office Meetings:              |        |             |
| (1) solely w/applicant's staff             | 9.30   | 2,708.00    |
| (2) third party conferences                | 56.30  | 22,219.00   |
| (h) Out of Office Meetings                 | 0.00   | 0.00        |
| (i) Review of File                         | 22.90  | 4,782.00    |
| (j) Travel Time                            | 7.50   | 3,045.00    |
| (k) Fee Application Preparation            | 15.60  | 2,899.00    |
| (l) Prepare for Court Appearance           | 6.10   | 2,673.50    |
| (m) Review Documents Produced by Adversary | .30    | 60.00       |
| (n) Prepare for Depositions                | 0.00   | 0.00        |
| (o) Drafting Discovery                     | .30    | 99.00       |
| (p) Other Services                         | 9.80   | 1,657.00    |
| SERVICES TOTALS                            | 246.90 | \$73,686.00 |

## SECTION III SUMMARY OF DISBURSEMENTS

| Disbursements |   |        | Amount     |
|---------------|---|--------|------------|
| (a)           | Telephone                                 |        | \$1,063.11 |
| (b)           | Messenger Service:                        |        |            |
|               | Federal Express                           | 106.60 | 106.60     |
| (c)           | Photocopying:                             |        |            |
|               | No. of Pages: 12,777 Rate per Page: \$.20 |        | 2,555.40   |
| (d)           | Travel (attach details - U.S. Govt. Rate) |        |            |
|               |   |        | 57.00      |
| (e)           | Postage                                   |        | 134.17     |
| (f)           | Other (explain):                          |        |            |
|               | Westlaw                                   | 21.10  |            |
|               | Telecopier                                | 343.50 |            |
|               | PACER Charges and Printing Costs of       |        |            |
|               | Downloading Documents                     | 183.25 | 547.85     |
| DISE          | \$4,464.13                                |        |            |

#### SECTION IV CASE HISTORY

(NOTE: Items (3) through (6) are not applicable to applications under 11 U.S.C. § 506)

- (1) Date case filed: May 20, 2003
- (2) Chapter under which case commenced: Chapter 11
- (3) Date of retention: Order signed May 30, 2003, *nunc pro tunc* to May 20, 2003 (Annex copy of order(s).) **See Exhibit A.**If limit on number of hours or other limitations to retention, set forth: N/A
- (4) Summarize in brief the benefits to the estate and attach supplements as needed: The Applicant has spent considerable time preparing for, and attending, various depositions in connection with the motion of Fuji Photo Film, Co., Ltd. ("Fuji") for the appointment of a Chapter 11 Trustee. In addition, the Applicant has responded to numerous document production requests from Fuji. The Applicant has objected to Fuji's motion to quash a R.2004 subpoena served by the Debtor on Fuji. The Applicant has attended Court hearings on Fuji's motion to quash the Rule 2004 subpoena, the Debtor's motion to extend it's exclusive periods and a case status conference. **See Exhibit B.**
- (5) Anticipated distribution to creditors:
  - (a) Administration expense: Unknown at this time.
  - (b) Secured creditors: Unknown at this time.
  - (c) Priority creditors: Unknown at this time.
  - (d) General unsecured creditors: Unknown at this time.
- (6) Final disposition of case and percentage of dividend paid to creditors (if applicable): This is a second interim fee application. Final dividend percentages are unknown at this time.